

plex. Such a parkway would link together the national parks, monuments, and recreation areas of southern Utah, northern Arizona, northwestern New Mexico, and southwestern Colorado.

THE GOLDEN CIRCLE—SCENIC AND RECREATIONAL WONDERLAND

Centered around the Four Corners area of Arizona, New Mexico, Colorado, and Utah are more than 40 outstanding scenic and recreational attractions which form a great golden circle as the area has been aptly described. These attractions include both National and State parks and monuments and other areas of scenic, archaeological, geologic, historic, and recreational value. It is an area unduplicated in the world, and has recently received added value in the designation of Canyonlands National Park and in the formation of Lake Powell and the Glen Canyon National Recreation Area.

SCENIC PARKWAY COMPLEX NEEDED

Most of the points of interest would be only a few hours apart if there were adequate access and connecting roads. Yet, at the present time the people of America are being denied, except on great inconvenience and hardship, the opportunity to see some of the most spectacular and majestic country in the world. Some of these points of interest have no roads at all or are accessible only by jeep trail. Those that do have good roads usually are not linked in any pattern to provide contiguous travel from one to another. The construction of a national scenic parkway in the Golden Circle area would cross and open up this area to countless thousands of people who are now denied this great esthetic experience. In fact, the parkway would be a national park in itself while at the same time connecting important units of the national park system.

SURVEY REQUIRED

In the 87th Congress, I introduced a bill to authorize the construction of a national parkway through southern Utah. The Department of the Interior submitted a negative report on the bill, however, on the grounds that no survey had been made by the Department. Significantly, the Department indicated that it wished to make such a survey as soon as personnel and funds are available. I then introduced a bill to give the Department the necessary funds and personnel. In testifying on this bill in testimony before the Appropriations Committee, Conrad L. Wirth, then Director of the National Park Service, stated that the Park Service could economically use the full amount of \$80,000 which the bill provided, but added that he felt such a study should include not only southern Utah but the general Colorado River region in adjoining States where outstanding scenic parkway possibilities exist. I heartily concur in the broader concept, which the bill I am introducing today proposes. My bill authorizes \$200,000 for the broader survey.

A survey of the area will show that there are several possible routes which hold great promise for location of a national scenic parkway. They are not only scenic but are feasible from an economic and engineering standpoint. In southern Utah, for example, the Bureau of Public Roads has surveyed four possible routes; and other locations have been suggested by other groups. No doubt routes in other States to complete the road complex are equally available.

NEEDED—PARKWAYS IN THE WEST

As my colleagues know, all of our existing national parkways are east of the Mississippi River, principally in the South. It is my strong conviction that this discriminatory policy should cease so that the Golden Circle area can receive a portion of the \$16 million

appropriated annually by Congress for construction of national parkways. The parkway which I propose would traverse one of the most magnificent areas in the United States. Since the area is almost entirely owned by the Federal Government, the right-of-way will cost very little.

Moreover, Utah is expected by Secretary Udall to give up hundreds of thousands of acres for new parks and recreation areas. But development lags far behind the Department of Interior's desire for great acreage tracts. In fairness we should and must have roads.

UTAH STUDY

The Utah State Department of Highways has recently completed an exhaustive study of road needs in the Golden Circle area. Mr. C. Taylor Burton, Utah highway director, points out that National Park Service developments on Lake Powell, for example, have brought into sharp focus the need for access roads. The National Park Service anticipates 1 million visitors annually if good access roads are provided. In anticipation of the influx of visitors, the Park Service is spending millions of dollars in the development of some six permanent recreation sites in the Glen Canyon National Recreation Area. Yet, only one area, Wahweap, is accessible today over a hard-surfaced, all-weather road. No passable road exists to Bullfrog Basin, now being developed by the Park Service some 41 miles from Utah State Route 95. Castle Butte development can be reached first by jeep, then by foot by the hardy few. Hall's Crossing is 52 miles from route 95 over a rough dirt road, and Hole-in-the-Rock is 50 miles, over primitive road, from the nearest connecting highway. The Utah State Department of Highways recommends the improvement of Utah State Route 95, the backbone through the area, which is now a dirt road, and the construction and improvement of access roads leading into the recreational sites on Lake Powell. I know the National Park Service and the Bureau of Public Roads, in carrying out the survey proposed in my bill, will wish to consider the valuable information developed by the Utah State Department of Highways and to work with the highway departments and other interested agencies in Arizona, Colorado, and New Mexico, as well.

I am inviting my colleagues from each of these States to join me in sponsoring this legislation because of its great importance to the region.

DESIGNATION OF THE AMERICAN MARIGOLD AS THE NATIONAL FLORAL EMBLEM

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference, a resolution to designate the American marigold, whose botanic name is *Togetes erecta*, as the national floral emblem of the United States.

In connection with the last whereas clause in the resolution, I recite that the marigold represents the character of the United States more appropriately as an emblem than does any other flower and that it is an American native and native of nowhere else in the world; grown in abundance in the home gardens of every State in the Union, including the flower gardens, such as they are, of the minority leader, and yet not the floral emblem of any State in the Union; that it is grown easily and quickly from seed; already acknowledged as a symbol of religious faith; a flower, in its very appearance, representing not just beauty, but a

rugged humility of character; and, like the American eagle and the American flag, an exclusively American emblem unclaimed by any foreign nation.

In connection with that proposal, as I think of these golden marigolds, a couplet comes to mind:

Ten thousand saw I at a glance,
Tossing their heads in spritely dance.

Mr. ELLENDER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am glad to yield.

Mr. ELLENDER. Do I correctly understand that this is the third or fourth effort which the distinguished Senator from Illinois has made to get action on having the marigold made the national flower?

Mr. DIRKSEN. I am a persistent person.

Mr. ELLENDER. The Senator is correct. To what extent has the Senator tried to get the committee to which this bill will be referred to take action?

Mr. DIRKSEN. I ran into some obstacles. I discovered that the carnation, the rose, the corn tassel, and other flowers are competitors. I have had difficulty persuading enough people to the virtues of my cause.

Mr. ELLENDER. I ask that question because, as the Senator knows, every time a bill is introduced in the Congress it costs the taxpayers a minimum of \$24. That is for a two-page bill. For a four-page bill, the cost is a minimum of \$47; for an eight-page bill, the printing cost is \$94. It seems to me that something should be done to get action on these various bills instead of just introducing them at every session this way.

Mr. DIRKSEN. I agree with the Senator from Louisiana.

Mr. ELLENDER. Why not make an effort to have these bills acted upon and have something done about them. I well remember, in 1944, when I was selected—

The PRESIDENT pro tempore. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDENT pro tempore. Without objection, the Senator from Illinois may proceed for 3 additional minutes.

Mr. ELLENDER. When I was selected as chairman of the Claims Committee that dealt with bills against the Government, we had a stack of approximately a thousand bills that were introduced at the beginning of every session. What I sought to do then was to have action taken on all those bills by having hearings on them and by having reports of some kind written that more or less satisfied the introducers of these bills. It would therefore seem to me that we could save a great deal of time if efforts were made by those who propose these bills to have action taken by the committee, one way or the other, and not just have them introduced at every session of the Congress.

Mr. DIRKSEN. Mr. President, I must remind my dear fellow friend from Louisiana [Mr. ELLENDER], that this bill will go to the Judiciary Committee.

This committee has been dealing for a long time with highly noncontroversial matters such as civil rights. We have not been able to obtain an opportunity, so far, to discuss the merits of our humble, little, sprightly marigold. Perhaps this year, in the 89th Congress, it will be different. Our distinguished chairman, the amiable, genial and competent chairman, the Senator from Mississippi [Mr. EASTLAND], I am sure will give me a hearing and I believe that he will do so quickly.

Mr. ELLENDER. The Judiciary Committee has so many subcommittees and so many people working for it that it would seem to me the Senator from Illinois should be able to get an early hearing and have disposition made of his bill and other bills of similar character. The Congress should not be faced each year with having four to five bills on the same subject introduced without any action being taken on them.

Mr. DIRKSEN. I hope my recollection is correct, but I am sure that in terms of volume and number of bills, the Senate Judiciary Committee handles as many bills as all the other standing committees of the Senate put together.

Mr. EASTLAND. The Senator from Illinois is correct.

Mr. ELLENDER. That is correct. And when the claims committee was in effect, before the reorganization of 1946, that little, measly committee handled about 55 percent of the bills which came to the floor of the Senate.

Mr. DIRKSEN. But the committee now handles all of those subjects.

Mr. ELLENDER. I understand what the committee does. I merely wish to point out that the transfer was made from that small committee to the Committee on the Judiciary. As I stated, my recollection is that the claims committee voted out as much as 55 percent of all the bills acted upon by the Senate.

I myself, as chairman, sat down and disposed of many of the bills. I parceled out the others to the committee members and encouraged them to do likewise. We did not require any huge staff to do our jobs for us, get underfoot, and bloat the public payroll.

Mr. DIRKSEN. The Committee on the Judiciary is a busy committee.

Mr. ELLENDER. Prior to 1946, these matters were all handled at a very small cost to the Government. Now I am informed that the printing cost of all these private bills amounted to approximately \$100,000 last year alone. Why, last year the Judiciary Committee received an authorization of \$1,961,451 to handle matters just such as this.

Mr. DIRKSEN. Yes. Think of all the private immigration, deportation, naturalization, court matters, and other subjects considered by that committee.

But, Mr. President, I must hurry along. The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 19) designating the American marigold (*Tagetes erecta*) as the national floral emblem of the United States, introduced by Mr. DIRKSEN, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

MEMBERSHIP RATIO OF STANDING COMMITTEES

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration. I do so with the stipulation that it will not prejudice the right of any Senator so far as the pending business is concerned.

The PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 18

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (a) (dealing with the Committee on Aeronautical and Space Sciences) of subsection 1 of rule XXV, strike out the word "fifteen" and insert in lieu thereof "sixteen."

In paragraph (b) (dealing with the Committee on Agriculture and Forestry) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "fifteen."

In paragraph (c) (dealing with the Committee on Banking and Currency) of subsection 1 of rule XXV, strike out the word "fifteen" and insert in lieu thereof "fourteen."

In paragraph (f) (dealing with the Committee of Commerce) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "eighteen."

In paragraph (i) (dealing with the Committee on Foreign Relations) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "nineteen."

In paragraph (j) (dealing with the Committee on Government Operations) of subsection 1 of rule XXV, strike out the word "fifteen" and insert in lieu thereof "fourteen."

In paragraph (k) (dealing with the Committee on Interior and Insular Affairs) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "sixteen."

In paragraph (l) (dealing with the Committee on the Judiciary) of subsection 1 of rule XXV, strike out the word "fifteen" and insert in lieu thereof "sixteen."

In paragraph (m) (dealing with the Committee on Labor and Public Welfare) of subsection 1 of rule XX, strike out the word "fifteen" and insert in lieu thereof "sixteen."

In paragraph (n) (dealing with the Committee on Post Office and Civil Service) of subsection 1 of rule XXV, strike out the word "nine" and insert in lieu thereof "twelve."

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 18) was agreed to.

AWARD OF SERVICE PINS OR EMBLEMS TO EMPLOYEES IN LEGISLATIVE BRANCH

Mr. DIRKSEN. Mr. President, in the executive branch of the Federal Government it has long been the custom, and they have the authority, to award service pins or emblems to employees in the executive branch.

We have never done so in the legislative branch, and I believe it is high time that we recognize the service of not only Senators but the officers and employees of the Senate as well.

Therefore, on behalf of myself and the distinguished majority leader [Mr. MANSFIELD], I submit a resolution to that effect, and ask that it be appropriately referred.

The resolution (S. Res. 21) was referred to the Committee on Rules and Administration, as follows:

S. RES. 21

Resolved, That the Committee on Rules and Administration is hereby authorized to provide for the awarding of service pins or emblems to Members, officers, and employees of the Senate, and to promulgate regulations governing the awarding of such pins or emblems. Such pins or emblems shall be of a type appropriate to be attached to the lapel of the wearer, shall be of such appropriate material and design, and shall contain such characters, symbols, or other matter, as the committee shall select.

SEC. 2. The Secretary of the Senate, under direction of the committee and in accordance with regulations promulgated by the committee, shall procure such pins or emblems and award them to Members, officers, and employees of the Senate who are entitled thereto.

SEC. 3. The expenses incurred in procuring such pins or emblems shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee.

IMPROVEMENT OF ALASKA HIGHWAY — ADDITIONAL COSPONSORS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Alaska [Mr. BARTLETT] be added as a cosponsor of S. 282, which was introduced by me and my colleague from Montana [Mr. METCALF], to improve the Alaska highway.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I should like to ask the Senator from Montana whether I am also a cosponsor of the bill introduced by him and his colleague from Montana.

Mr. MANSFIELD. I believe the Senator made that request yesterday. I assumed all along that he was a cosponsor of it.

Mr. GRUENING. If I am not, I should like to be included as a cosponsor.

Mr. MANSFIELD. I make the same request. In order to make certain that the distinguished Senator from Alaska [Mr. GRUENING] is a cosponsor, I ask that his name be included also.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROPOSED CONSTITUTIONAL AMENDMENT ON PRESIDENTIAL SUCCESSION—ADDITIONAL COSPONSOR

Mr. BAYH. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Minnesota [Mr. MONDALE] be added as a cosponsor to Senate Joint Resolution 1.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I point out that the inclusion of the name of the distinguished Senator from Minnesota brings to 70 the number of cosponsors in this body who have recognized the great need that exists for dealing with the problem of vacancies which have existed on 16 occasions in the office of Vice President, and the equally vexing and severe problem of presidential disability.

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I call this to the attention of my colleagues. I thank the Chair for recognizing me.

The PRESIDENT pro tempore. Is there any further morning business?

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. THURMOND:

Editorial entitled "Congress Can Remove the Muzzle," published in the January 1965 issue of the Journal of the Armed Forces.

Editorial and article from the Greenville (S.C.) News on the death of Dr. Bennette Eugene Geer.

SENATOR DOMINICK SUPPORTS TAX CREDIT LEGISLATION

Mr. SIMPSON. Mr. President, my good friend and colleague the Senator from Colorado [Mr. DOMINICK] had intended today to deliver a speech on behalf of proposed legislation which both he and I consider of the utmost importance. The Senator from Colorado [Mr. DOMINICK] and I are sponsors of the bill (S. 12) introduced by our colleague the Senator from Connecticut [Mr. RIBICOFF], to provide tax credits to those persons burdened with the increasingly onerous financial responsibilities of higher education.

Unfortunately, the Senator from Colorado must be absent from the Senate Chamber today, and it is with pleasure that I ask unanimous consent to have printed the text of his speech in the body of the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR DOMINICK

I have joined Senator RIBICOFF and a number of our colleagues with great pleasure in sponsoring bill S. 12, designed to provide tax credits to those persons burdened with the financial responsibilities of higher education. I have worked for this type of legislation for over 10 years as a private citizen, as a member of the State legislature in Colorado, as a Member of the House of Representatives, and during the 88th Congress as a Member of this body. It is my strong belief that here is an area in which the Federal Government can act to provide an incentive to private citizens of a positive nature, rather than an encumbrance of red tape or regulations.

Last year 19 Senators, including myself, introduced similar legislation to provide tax relief for the costs of higher education. Over 100 Members of the House of Representatives also sponsored legislation of this nature. This provides ample evidence of the broad base of congressional support such proposals enjoy. A proposal identical to that introduced by Senator RIBICOFF today gained greater support in the last Congress than any previously introduced bill of this nature and was ultimately defeated by a 48 to 45 vote, only after extreme pressure was brought to bear against it by the executive branch. I am hopeful that many of the objections raised at that time by the administration will not be raised this year, and we may gather sufficient bipartisan support to insure its passage.

The heart of this bill is that it provides an opportunity for citizens to use their pretax earnings for higher education and receive a credit for a predetermined percentage of those costs up to \$1,500. The maximum allowable credit to be applied against an individual's final income tax is \$325 for each individual student being financed. This credit is computed in such a manner as to provide maximum benefits toward the first few hundred dollars of educational expenses, including tuition fees, books, and supplies. Of the first \$200 in expenses, the allowable credit is 75 percent or \$150. Of the next \$300 the allowable credit is 25 percent, and of the next \$1,000 the allowable credit is 10 percent. Thus, expenses of \$300 would result in a credit of \$175, while expenses of \$1,500 would result in a credit of \$325.

In view of the seriousness and importance of this bill, I would like to make several points about it perfectly clear.

First. It does not, and indeed no tax proposal can, provide relief to those low income families who pay no income tax. These families and their children can continue to take advantage of scholarship, loan, and grant programs specifically designed for them. Most colleges and universities also give these students from low income families first priority on student employment programs.

Second. It does benefit the low income families who do pay tax, and the middle income families. It has already been pointed out that families with incomes between \$3,000 and \$10,000 comprise 62 percent of our population, and thus the greatest benefit will be within this income group. Let us remember, too, that the tax credit inures to any taxpayer who pays for the expenses of higher education. Thus, the single person who must pay tax while working himself through college will benefit as well as employed married couples where one spouse works while the other attends school.

Third. It is not a rich man's bill, and anyone who so contends simply does not understand the sliding scale provisions of the bill. Over 80 percent of the tax benefit will go to families with incomes of less than \$20,000 per year, and persons with incomes of \$60,000 or above will receive no benefit whatsoever from this bill.

Fourth. The tax credit approach avoids many serious problems involved with Federal aid to education. The religious controversy and its constitutional difficulties is completely avoided. The formula employed for computing benefits concentrates on the first \$500 of costs and thereby equalizes the relative benefits between those who pay tuitions at public and private colleges.

Fifth. No additional Federal bureaucracy is required since we utilize the existing machinery of IRS. No Federal control is encountered.

We have every indication that the costs of obtaining a higher education will continue to increase just as they have over the years. In all probability, the passage of this bill will not curb these costs. Its passage will, however, give much needed tax relief to those families and individuals whose financial burden is particularly great. It will also have the effect of feeding back much needed revenues into the private sector of our economy.

Some have speculated that the passage of this bill will directly cause public and private educational institutions to raise their tuition and fee schedules. This is pure speculation. I think history has shown us that these costs have been rising steadily anyway. It seems to me that it is equally logical to assume that the people who will realize tax savings from this bill might be inclined to plow these savings back into public and private educational institutions. These savings would also give the States a greater source of tax revenue to tap in order to sustain their own educational systems. Finally, it would allow the recipients of these tax benefits to contribute

toward the education of more of their children beyond high school and may well form the incentive for some to pay part of the expenses for children of neighbors or friends.

This bill will give tax benefits to those low- and middle-income families who desperately need it. It will not solve all of our educational problems, but it will be a significant step toward helping those who do need the assistance in bearing the costs of higher education. It will fill in part of the gap which we now have in our efforts to assist all Americans to have the opportunity for receiving higher education. We have given grants and loans to the universities and graduate schools for buildings and equipment, we have made progress toward helping teachers, we have advocated special programs to stimulate interest in secondary education. We must now recognize the problem of those who struggle to give their children the chance to improve and better their lot through higher education.

Mr. SIMPSON. As is the case with all the Senator's speeches, his remarks on S. 12 are articulate and cogent. They spell out graphically the reasons why the Senator from Colorado [Mr. DOMINICK] has supported this type of legislation for the past decade.

AMERICAN SUPPORT OF DICTATORS STICKS IN THE THROAT

Mr. TALMADGE. Mr. President, it is inconceivable to think that such bad days have fallen upon the foreign relations of the United States that we would have to endure the threats, insults, and curses of dictators.

It is more shocking that we would even consider the continuance of our foreign-aid programs in nations that not only do not profess to be our friends, but which by word and deed make no secret about being our enemies.

Regardless of how eloquently anyone may attempt to justify it, I cannot swallow the idea of sending American dollars and American food into dictatorships which take our assistance with one hand and slap us with the others. It sticks in my throat.

I submit, Mr. President, that it is a shame and a disgrace to the American people. This is the strongest, the most free, the richest, the greatest Nation on the face of the earth. The United States has never assumed the role of a lackey, and it ill befits our position of world leadership to go hat in hand to anyone.

The recent outrages perpetrated against the United States and our friends and allies by Nasser's Egypt demand the immediate end to our aid program in that country.

Nasser ever increases his alignment with the Soviet Union and Red China, and repeatedly acts against the best interests of the free world. He boasted of joining the Chinese Communists in sending arms to support the bloody and bestial war against the legally constituted government in the Congo. He has taken our aid and turned it into Russian arms to further Egyptian aggression against Yemen and Israel. He stood by while the John F. Kennedy Library was burned and destroyed in Cairo last November. His air force in December shot down without provocation a private plane owned by a Texas oil company. And then, to add insult to injury, Nasser

told the United States to take our aid and go drink from the sea, or in effect, to go jump in the lake.

In the past 12 years, Nasser's Egypt has received approximately \$1 billion in aid from the United States, and food is still being shipped to Nasser at the rate of about \$150 million a year.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. RUSSELL. Mr. President, I ask unanimous consent that my colleague [Mr. TALMADGE] may be allowed 3 additional minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, there should be no more. The President has authority under amendments to the 1963 and 1964 Foreign Assistance Act to immediately terminate all U.S. assistance to Egypt. This authority should be exercised without further ado.

Earlier last year, Sukarno, of Indonesia, told the United States to take our foreign aid and go to hell. Despite this insult, despite Sukarno's continued aggression against our ally Malaysia, and notwithstanding his support of the war-mongering policies of Red China in Asia, Indonesia and its leftwing government is being aided and abetted by U.S. dollars. Nearly \$900 million has been pumped into Indonesia, and according to the Agency for International Development, we spent more than \$10 million upon Sukarno in fiscal year 1964, and scheduled the same amount for fiscal 1965.

Algeria, under the totalitarian hand of Ben Bella, has followed the lead of Nasser and walked hand in hand with the Communists. He too is guilty of supporting the inhuman massacres in the Congo. Since Ben Bella took over just over 2 years ago, he has received more than \$144 million in U.S. foreign aid.

Mr. President, these nations, individually and collectively, are openly hostile to the United States. They scorn and thwart our foreign policy at every turn. They line up with the Soviet Union and Red China and promote the advance of communism. They want only to destroy our property and tell us to go to blazes.

I say it is time that we stopped helping our enemies.

WORLD PEACE THROUGH LAW

Mr. KUCHEL. Mr. President, last December I wrote for the American Bar Association Journal an article entitled "Lawbooks U.S.A.: Messenger of World Peace Through Law." I ask unanimous consent that the text of the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAWBOOKS U.S.A.: MESSENGER OF WORLD PEACE THROUGH LAW

(By Hon. THOMAS H. KUCHEL, U.S. Senator from California)

"Every one of us has in truth an underlying philosophy of life, even those of us to whom the names and the notions of philosophy are unknown or anathema. There is in each of us a stream of tendency, whether you choose to call it philosophy or not, which

gives coherence and direction to thought and action."¹ These words of Benjamin Nathan Cardozo are logically followed by his own philosophy of law: "The final cause of law is the welfare of society."

It is the welfare of society that Lawbooks U.S.A. seeks to serve. This unique and significant program, for which I am pleased and honored to serve as a trustee, should be of vital interest to members of the American Bar Association, as it is to me both as a Senator and as a lawyer. In both capacities one is conscious of the limits of the legislative process in the global struggle to persuade men's minds and of the positive role that a project like Lawbooks U.S.A. might play in bridging these limits.

LEGISLATIVE POWER OVER PEOPLE OF OTHER COUNTRIES

To state that there are limits, practical as well as constitutional, to the power of a legislative body in the enactment of sound law is axiomatic to lawyers. This statement is readily believable when viewed in the context of domestic laws whereby a legislature seeks to place on the statute books the ideas men think, the causes they espouse and the views they embrace. This basic statement applies, however, with special force to efforts by legislative bodies to enact laws relating to inhabitants of other countries.

"Justiciable is a lawyer's word * * * used to describe disputes of a kind that can be resolved justly and peacefully through adjudication by impartial tribunals on the basis of commonly accepted legal principles. * * *

"Questions of justiciability are fundamental in any legal system. In international law, they are not only fundamental but conspicuous and insistent."

I have, of course, a strong belief in the power and authority of Congress to enact laws enhancing our position as the leader of the free world. After listening to hundreds of witnesses reading thousands of pages of testimony on the role American foreign policy must take, I am convinced beyond doubt that Congress, the legislative voice of our Federal Republic, in cooperation with the executive branch, carries a significant share of the burden in devising and implementing a positive program to meet the difficult problems confronting our ideologically divided world today.

In acting on the Foreign Assistance Appropriation Act, both in committee and in the Senate, I enthusiastically supported this necessary effort to aid our allies—knowing fully that any foreign assistance program, by its very nature, has built-in limitations. We can appropriate funds to build educational facilities, but we should not attempt to imprison men's minds by dictating the course of study. We can appropriate dollars to feed the undernourished and cloth the naked, but we cannot insure the freedom and dignity of the individual. We can appropriate funds to mend men's bodies, but we cannot hope to bend men's minds merely by appropriating money. America has learned, sometimes through bitter experience, that dollars alone cannot persuade the minds of other men.

The most important and by far the most difficult aspect of our international relations is a great intangible—the delicate, human art of persuasion. It is only by word of mouth, by cultivated personal contact abroad and by an intelligent articulation of our way of life in person and through printed material that we shall be able to persuade others that our viewpoint is right and that our actions, as well as our goals, are in harmony with theirs.

¹ Cardozo, "The Nature of the Judicial Process," 2 (1921).

² Berman, "Talks on American Law," 208 (1961).

"Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions and enables change to come by choice. * * * Now as always in our history, books are among our greatest instruments of freedom. They are almost the only means for making generally available ideas or manners of expression that can initially command only a small audience."

Recognizing the shortcomings of a purely monetary assistance program, Congress has taken certain steps to bridge the people-to-people gap. The U.S. Information Agency, for example, was established to speak to the world for America. USIA endeavors to associate the American people in their daily lives, their progress and their yearnings with the legitimate aspirations of all peoples everywhere. The Peace Corps program brings volunteer Americans into the underdeveloped areas of the world to offer aid and assistance with problems confronting humanity in its struggle for survival. In both these instances, Congress has recognized the difficult task of speaking in many languages to many peoples of vastly differing cultures and styles. Thus, Congress can and does appropriate money in an effort to carry the message of America—its people, its culture, its philosophy and especially its spirit of liberty—to the peoples of the world.

Learned Hand, after admitting that he could not define liberty, said: "The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other man and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias * * *."

Recognizing what Congress wants to do and what it cannot always do, various segments of the organized bar have united to form Lawbooks USA, a unique and significant program, a joint project of the American Bar Association's World Peace Through Law Committee, the Federal Bar Association and the U.S. Information Agency. It is based on the desire and need to communicate with lawyers of the world on a lawyer-to-lawyer basis by sending paperback books concerning the basic nature of our legal system to selected lawyers, jurists, teachers, and law students in the newborn nations.

KNOWLEDGE AND INTEREST IN AMERICAN LAW

It is a needed program. In my travels throughout the world, I have come to the realization that there is a considerable amount of preconditioning that people of other countries have developed to the American image and to the American way of life, especially to our system of administering justice. Their impression is based more frequently on motion picture and television westerns and gangster shows than on the serious writings of our great jurists.

As a member of the legal profession, I was dismayed to discover that many lawyers in foreign nations do not have a basic conception of the elementary principles of American justice. If only the lawyers and statesmen in foreign nations understood the American heritage of trial by jury and presumption of innocence, the civil rights issues confronting our Nation would be placed in a proper perspective, instead of assuming a distorted image of frontier justice consisting of lynchings and bombings. If they understood the concept of governmental checks and balances and constitutional order, the smooth transition following a dreadful Presidential assassination would have been more readily anticipated and comprehended. If they knew the rudiments of administrative law principles, they would realize that a rule-

³ Newman, "The Freedom Reader," 1119 (1963).

⁴ Hand, "The Spirit of Liberty," 190 (1960).